

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

FERNANDO FONSECA, JR., :
BRADLEY L. MERWINE, :
WILLIE JAMES BROWN, :

Plaintiffs : CIVIL ACTION NO. 3:19-1427

v. : (JUDGE MANNION)

GENE BERDANIER, et al., :

Defendants :

ORDER

In accordance with the Memorandum issued this date, **IT IS**
HEREBY ORDERED THAT:

1. Defendants' motion to dismiss Plaintiffs' action for Plaintiffs' failure to exhaust administrative remedies (Doc. [48](#)) is **GRANTED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: March 10, 2021

19-1427-02-Order